

BTXN 117a (rev. 10/02)

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS

In Re:  
Highland Capital Management, L.P.

Debtor(s)

Highland Capital Management, L.P.

Plaintiff(s)

vs.

Highland Capital Management Fund Advisors, L.P.,  
NexPoint Advisors, L.P., Highland Income Fund,  
NexPoint Strategic Opportunities Fund, NexPoint  
Capital, Inc., and CLO Holdco, Ltd.

Defendant(s)

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Case No.: 19-34054-sgj11

Chapter No.: 11

Adversary No.: 21-03000-sgj

**SUMMONS IN AN ADVERSARY PROCEEDING**

To the above-named defendant:

You are hereby summoned and required to serve upon **Zachery Z. Annable**, Plaintiff's attorney (or if Plaintiff is not represented by counsel, upon Plaintiff), whose address is **Hayward PLLC**

**10501 N. Central Expressway  
Suite 106**

**Dallas, TX 75231**, either a motion or an answer to the complaint which is now served upon you. If you elect to respond first by motion, as you may pursuant to Fed. R. Bankr. P. 7012, that governs the time within which your answer must be served. Otherwise, you are required to serve your answer upon Plaintiff's attorney (or upon Plaintiff if Plaintiff is not represented by counsel) within 30 days of the date of issuance of this summons by the clerk (or by the following date prescribed by the court: N/A) except that the United States or an office or agency thereof shall serve an answer to the complaint within 35 days after the date of issuance of the summons.

*{If this summons and complaint is served in a foreign country}* Service of your answer must be made by the following date prescribed by the court N/A.

The motion or answer served by you must be filed with this court before service or within a reasonable time after service. **IF YOU FAIL TO RESPOND IN ACCORDANCE WITH THIS SUMMONS, JUDGMENT BY DEFAULT WILL BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.**

DATED: 1/8/21

FOR THE COURT:

Robert P. Colwell, Clerk of Court

by: /s/Michael Edmond, Deputy Clerk



In Re: Highland Capital Management, L.P. v. Highland Capital Management Fund Advisors, L.P. et  
Case No. 19-34054-sgj11 -11  
Adv. No. 21-03000-sgj

**SUMMONS SERVICE EXECUTED**

I, Zachery Z. Annable

of\*\* Hayward PLLC

certify:

If service was made by personal service, by residence service, or pursuant to state law, I further certify that I am, and all times during service of process was, not less than 18 years of age and not a party to the matter concerning which service of process was made;

That on the 11th day of January, 2021 I served a copy of the within summons, together with the complaint filed in this proceeding, ~~on~~ and the Court's Order Regarding Adversary Proceedings Trial Setting and Alternative Scheduling Order [Adv. Dkt. No. 12] on CLO Holdco, Ltd.,

the defendant in this proceeding, by *{describe here the mode of service}*  
e-mail sent to Mr. John Kane of Kane Russell Coleman & Logan PC, legal counsel for

the said defendant at  
jkane@krcl.com. Via e-mail dated January 11, 2021 from Mr. Kane to the undersigned, Mr. Kane agreed to accept service of the complaint and summons on behalf of his client, CLO Holdco, Ltd.

I certify under penalty of perjury that the foregoing is true and correct.

Executed on January 20, 2021  
(Date)

  
(Signature)

\*\* 10501 N. Central Expressway, Suite 106, Dallas, Texas 75231  
State mailing address